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City of Rio Dell

Open-Space Element

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Rio Dell Area General Plan

April 2001

Approved PC Resolution #01-01 - February 28, 2001
Adopted CC Resolution #777 - March 20, 2001



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OPEN SPACE ELEMENT OF THE GENERAL PLAN
CITY OF RIO DELL, HUMBOLDT COUNTY, CALIFORNIA
APRIL 2001

INTRODUCTION

In the early 1970's the Legislature of the State of California enacted Government Code Section 65560 to assure that cities and counties would recognize that "open-space" is a limited and valuable resource that must be protected and maintained.

Conservation and management of open space is a civic responsibility. Goals and policies for conserving, enhancing and managing the city's natural systems and features are critical ingredients of the General Plan.

The City of Rio Dell established its Open-Space Element of the General Plan in December 1972.

PURPOSE

The components of an Open-Space element include: outdoor recreation; areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including trail, beach, stream and river access; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails and scenic corridors.

The California State Planning Law requires that city and county General Plans contain an Open Space Element with an action program for implementation of that element. Open Space land must be categorized and defined as one of the following:

- "Agricultural land" means land actively used for the purposes of producing an agricultural commodity for commercial purposes. Agricultural Land is permitted to be idle for a period up to one year.
- "Natural resource land" is land deemed by the City of Rio Dell to possess or encompass natural resources, the use or recovery of which can best be realized restricting the use of the land.
- "Recreation land" is any area of land or water designated by the State, Region, or City of Rio Dell as open-space land, and which is actively used for recreation purposes with or without charge.
- "Scenic land" is land designated by the City of Rio Dell, as open-space land that possesses outstanding scenic qualities worthy of preservation.

- “Watershed or ground water recharge land” is land designated by the State, Region and or City of Rio Dell as open-space land which is important to the state in order to maintain the quantity and quality of water necessary to the people of the state or any part thereof.
- “Wildlife habitat” is any land or water area designated by the State, Region or City of Rio Dell as open-space land, which is unusually valuable or necessary to the preservation or enhancement of the wildlife resources of the state.

GOALS AND OBJECTIVES

The establishment of goals and objectives is necessary to provide private developers and governmental bodies with guidelines to prepare policies and plans, which realistically reflect the needs of the Rio Dell community.

Rio Dell's ultimate goal is to maintain, improve and enhance the area's unique urban environment and natural resources.

An overview of dedicated open-space lands include: Fireman’s Park and Baseball Diamond; the City Tennis Courts; Riverside Drive Triangle Park; Beaches of the Eel River; Blue Star Mother Memorial Park; Memorial Park Signs Area; Riverside Edge Recreational Vehicle Park; and Rio Dell Public School Playground. In addition the City has zoned land specifically for conservation recreation, conservation floodway, and agricultural uses.

The following specific goals and objectives are reflected in the Open-Space Element:

- A sufficient amount and variety of open space, active and passive, should be provided in proportion to the population needs of Rio Dell.
- Recreation needs for every age and income group in our population should be satisfied.
- All public and private facilities should be developed to high standards of design.
- Land and water areas of a unique or unusual character should be preserved for use by the general public.
- Open space should assist in providing definite neighborhood boundaries and provide structure to the city's physical development.
- Increased public access routes to and recreational use of the Eel River are of the utmost importance.

DESCRIPTION OF OPEN SPACE PRINCIPLES AND THE PLAN

Open space, as defined within the element plan and contained in the text has been coordinated and interrelated with the adopted Rio Dell Area General Plan these established policies include the following:

- Open Space land, especially intensely developed recreation areas should conveniently be located to serve residential neighborhoods of the City.
- A balanced variety of open space and recreation lands should be provided to meet the needs of all age groups in the City.
- A coordinated system of trails for pedestrians, bikes, and horses should be developed.
- Intensively used neighborhood recreation facilities should be of adequate size, appropriately developed, achieve an excellence of design, and be convenient to all forms of transportation.
- Physical development should concentrate on smaller, intensively developed recreational sites.
- Acquisition and development should be coordinated with county, regional, and state open space planning and development.
- Private property owners should be permitted to develop, where appropriate, by utilizing the Planned Development (PD) concept along the edges of the gulches enabling the slopes and bottoms to be retained in their natural state.
- Open space should be extended along, under or over major transportation facilities serving Rio Dell.
- Areas of unique historic-scenic quality, along with wildlife habitation, should be preserved.
- Multiple use of open space land should be encouraged.
- The quantity and location of open space should relate to development densities, distribution, and characteristics of people.
- A diversity of action programs should be utilized to implement the Open Space Element, with the best “tool” used, depending on the specific situation.

Rio Dell is fortunate to have a wide variety of open space lands within its boundaries. Along with the agricultural and natural resource land, are recreation areas and land that is retained for its scenic values.

A major feature of and significant asset to the conservation open-space element is the adjacency of the Eel River to Rio Dell. The western, northern and portions of the eastern sides are bounded by this natural water source.

Scattered throughout Rio Dell's neighborhoods are active recreational areas, which provide playgrounds for children and other recreation facilities for persons from varied age groups.

A workable, comprehensive Open Space Plan can be prepared and adopted by local government; however, that plan has little direct value unless steps are taken to accomplish the goals adopted. Thus, Open-Space standards shall be integrated as appropriate with all elements of the general planning. No building permit may be issued, no subdivision map approved, and no open-space zoning ordinance adopted unless the proposed construction, subdivision or ordinance is consistent with the local open-space plan. A checklist (Exhibit A) with the name of the Open Space, and all other General Plan Elements, will be utilized with each proposed development or re-development project to ensure that we have considered the goals and objectives of each element with each and every project.

Through experience, it has been demonstrated that the best means of preserving open space is to acquire full or partial rights to the land. This may be accomplished by purchase from or donation by the owner or condemnation by a public body. Where intensive use or open space by the public is anticipated, it is necessary for the public to own the property.

Leaseback or saleback with development restrictions allows public agencies to acquire and/or control land, but not necessarily occupy the land for direct public use. Land is acquired and then leased or sold back to the original or other private parties for designated open space purposes. Development of the property is constricted to that which is compatible with open space plan for that area. This action allows land to remain in productive use while also achieving open space use of the land.

The purchase of easements will give the public a partial right in property. The property owner agrees to limit the use of his land when the public purchases an easement. As an example, scenic easements are common along highways and visually attractive areas, such as rivers and lakes. Purchase of easements permits public agencies to stretch limited financial resources and allows land to continue in productive use.

Through the use of large lot, cluster, planned development, flood plain, agriculture, forest and other zoning categories, communities have an effective program to accomplish numerous proposals and concepts related to open space preservation. Zoning can be a positive force in open space implementation when used in a flexible manner. Zoning should be considered a short-term implementation program until a permanent control of the land can be achieved.

By populating development patterns, subdivision control can be an effective program for providing open space. Various methods have been used to determine the amount of open space a subdivision should have. Whatever method is used resulting in implementing an open space program. Subdivision regulations may assist in the preservation of natural vegetation that should not be disturbed.

Community Capital Improvement Program is vital in implementing an open space program. By controlling the placement and timing of new public facilities, the development of land in the community can be channeled to preserve open space.

Taxation is a factor in influencing development decisions and providing incentives for keeping land undeveloped. Tax exemptions, preferential assessment, deferral and differential rates all can be area to help implement the Open Space Element.

EPILOGUE

The City of Rio Dell reaffirms its continuing dedication to implementing the open-Space Element of its General Plan.

We do not know in quantifiable terms to what extent an Open Space Program can actually promote land use goals and objectives. However, it is the belief that if this Plan is carried out it will be of considerable value to our citizens, and the present and future prosperity of the community.

City of Rio Dell
General Plan Element Compliance Checklist

It is the policy of the City of Rio Dell to ensure that the Goals and Objectives of the General Plan are being met, to the greatest extent possible. Any person (staff or consultant) preparing a report to the City Planning Commission or City Council regarding a development or redevelopment project shall use this checklist as a guide to reviewing compliance with the various element of the General Plan. Please mark the yes or no box. If the project does not comply with the goals of a particular element explain why. Sign your name below.

Date: _____

Project Name: _____

Land Use Element: ☐ Yes ☐ No

Housing Element: ☐ Yes ☐ No

Open Space Element: ☐ Yes ☐ No

Circulation Element: ☐ Yes ☐ No

Conservation Element: ☐ Yes ☐ No

Public Safety Element: ☐ Yes ☐ No

Noise Element: ☐ Yes ☐ No

Scenic Highway Element: ☐ Yes ☐ No

Prepared By: _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF RIO DELL RECOMMENDING THAT THE CITY COUNCIL
CONSIDER ADOPTION OF THE UPDATED OPEN SPACE
ELEMENT DATED APRIL 2001

WHEREAS, the Planning Commission for the City of Rio Dell has initiated updating the Open Space Element of the City's General Plan; and

WHEREAS, the Planning Commission did, after giving notice as prescribed by Government Code Section 65350 et seq., hold a public hearing to consider the updated Open Space Element of the City's General Plan, at which all persons desiring to be heard were heard; and

WHEREAS, it has been determined that this project is ministerial and exempt from the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Open Space Element as recommended is in conformance with the requirements of Sections 65560-65570 of the Government Code relating to local open-space plans;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell is hereby approving and recommending that the Open Space Element dated April 2001 be considered and adopted by the City Council of the City of Rio Dell.

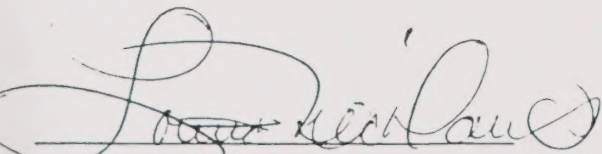
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of February 28, 2001, that said Resolution was adopted by the following votes:

AYES: O'Donald, Lollich, Plum, Thompson, Withrow

NOES: None

ABSTAIN: None

ABSENT: None



Loretta Nickolaus
Secretary to the
Planning Commission

RESOLUTION NO. 777

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ADOPTING AN 'OPEN SPACE' ELEMENT OF THE CITY'S GENERAL PLAN,
RESCINDING AND SUPERSEDING THE OPEN SPACE ELEMENT
PORTION OF THE COMBINED CONSERVATION & OPEN SPACE
ELEMENT DATED DECEMBER 1972

WHEREAS, the Planning Commission for the City of Rio Dell has initiated updating the Open Space Element of the City's General Plan in conformance with Government Code Section 65560; and

WHEREAS, the Planning Commission has held a public hearing on the updated element and recommendation to the City Council; and

WHEREAS, the City Council did, after giving notice as prescribed by Government Code Section 65350 et seq., hold a public hearing to consider the updated Open Space Element of the City's General Plan, at which all persons desiring to be heard were heard; and

WHEREAS, it has been determined that this project is ministerial and exempt from the requirements of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell is hereby adopting its Open Space April 2001.

Passed and Adopted by the City Council of the City of Rio Dell on this 20th day of March 2001, by the following vote:

Ayes: Mayor Parrish, Councilmembers Ghilarducci, Leonard & Woodall

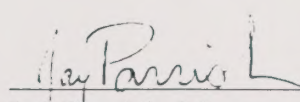
Noes: None

Abstain: None

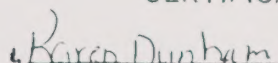
Absent: Councilmember Plum

Attest:

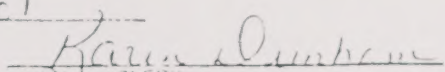

Loretta Nickolaus, City Clerk


Jay Parrish, Mayor

CERTIFICATION OF CLERK


I, Karen Dunham, CLERK OF THE CITY OF RIO DELL
DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND
CORRECT COPY OF RESOLUTION NO. 777 PASSED
BY THE CITY COUNCIL OF THE CITY OF RIO DELL AT A
REGULAR MEETING HELD ON THE 20th DAY OF Mar 19 2001

DATED: 3-20-01


CLERK

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